

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA, : INDICTMENT

-v.- : S1 07 Cr. 816 (LAP)

BANKY ADEBANJO, :

a/k/a "Kurt Konigsberger," :

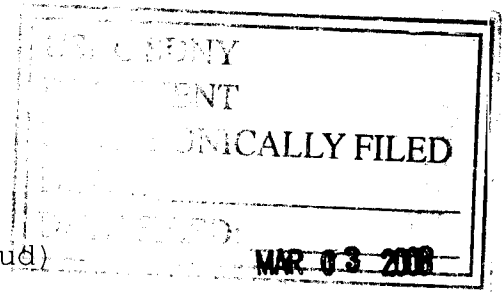
a/k/a "Bankole Adetayo," :

Defendant. :

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COUNT ONE

(Conspiracy to Commit Bank Fraud)



The Grand Jury charges:

The Fraudulent Scheme

1. From in or about at least November 2004, up to and including on or about July 31, 2007, in the Southern District of New York and elsewhere, BANKY ADEBANJO, a/k/a "Kurt Konigsberger," a/k/a "Bankole Adetayo," the defendant, and others known and unknown, participated in a scheme to commit bank fraud by fraudulently accessing and using the credit of hundreds of individual victims without authorization.

2. As a part of the fraudulent scheme, BANKY ADEBANJO, a/k/a "Kurt Konigsberger," a/k/a "Bankole Adetayo," the defendant, and his co-conspirators fraudulently obtained hundreds of individual victims' bona fide credit reports by sending bogus letters to the credit reporting agency TransUnion LLC ("TransUnion"), purporting to be from the individual victims, which letters requested copies of the individual victims' credit

reports and sought to change the individual victims' addresses to mailboxes controlled by ADEBANJO and his coconspirators.

3. As a further part of the fraudulent scheme, BANKY ADEBANJO, a/k/a "Kurt Konigsberger," a/k/a "Bankole Adetayo," the defendant, and his coconspirators sought to use information from the credit reports they had stolen to obtain credit cards issued by financial institutions in their victims' names in order to use those credit cards fraudulently to purchase and obtain things of value, including goods and services.

#### Statutory Allegations

4. From in or about at least November, 2004, up to and including on or about July 31, 2007, in the Southern District of New York and elsewhere, BANKY ADEBANJO, a/k/a "Kurt Konigsberger," a/k/a "Bankole Adetayo," the defendant, and others known and unknown, unlawfully, willfully, and knowingly did combine, conspire, confederate, and agree together and with each other to commit an offense against the United States, to wit, to violate Title 18, United States Code, Section 1344.

5. It was a part and an object of the conspiracy that BANKY ADEBANJO, a/k/a "Kurt Konigsberger," a/k/a "Bankole Adetayo," the defendant, together with others known and unknown, unlawfully, wilfully and knowingly, would and did execute and attempt to execute a scheme and artifice to defraud financial institutions, the deposits of which were insured by the Federal

Deposit Insurance Corporation, and to obtain moneys, funds, credits, assets, securities, and other property owned by and under the custody and control of such financial institutions, by means of false and fraudulent pretenses, representations, and promises, in violation of Title 18, United States Code, Section 1344.

Overt Acts

6. In furtherance of the conspiracy and to effect the illegal object thereof, the following overt acts, among others, were committed in the Southern District of New York, and elsewhere:

a. On or about December 24, 2004, BANKY ADEBANJO, a/k/a "Kurt Konigsberger," a/k/a "Bankole Adetayo," the defendant, applied for and opened a mailbox at a private mailbox provider at 980 Fourth Avenue, Brooklyn, New York (hereinafter referred to as "Mailbox-1").

b. On or about October 29, 2006, a co-conspirator used a Citibank credit card, without authorization from the person in whose name the credit card was issued, to make two purchases at a Staples store in the Bronx, New York.

c. On or about December 12, 2006, BANKY ADEBANJO, a/k/a "Kurt Konigsberger," a/k/a "Bankole Adetayo," the defendant, posing as an individual victim, prepared and caused to be sent to TransUnion a letter requesting a copy of that victim's

credit report and directing that the credit report be mailed to Mailbox-1.

(Title 18, United States Code, Section 1349.)

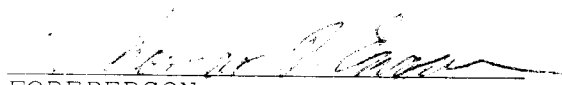
COUNT TWO  
(Aggravated Identity Theft)

The Grand Jury further charges:

7. The allegations contained in paragraphs 1 through 3 and 6 of this Indictment are hereby realleged and incorporated by reference as though fully set forth herein.

8. From at least on or about July 15, 2004, up to and including on or about July 31, 2007, in the Southern District of New York and elsewhere, BANKY ADEBANJO, a/k/a "Kurt Konigsberger," a/k/a "Bankole Adetayo," the defendant, unlawfully, willfully, and knowingly did transfer, possess and use, without lawful authority, a means of identification of another person during and in relation to the offense charged in Count One of this Indictment, to wit, a United Kingdom passport and other identification documents in the name of Kurt Konigsberger.

(Title 18, United States Code, Section 1028A(a)(1)).

  
FOREPERSON

  
MICHAEL J. GARCIA  
United States Attorney

Form No. USA-33s-274 (Ed. 9-25-58)

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UNITED STATES OF AMERICA

- v -

BANKY ADEBANJO,  
a/k/a "Kurt Konigsberger,"  
a/k/a "Bankole Adetayo,"

Defendant.

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INDICTMENT

S1 07 Cr. 816 (LAP)

(18 U.S.C. §§ 1349 and 1028A.)

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MICHAEL J. GARCIA  
United States Attorney.

A TRUE BILL

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*Thomas P. Engel*  
Foreperson.

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Post 11-487  
3/3/08  
Filed and  
Clerk J.